

**Protective Services Questions for Organizations in Other States**  
**New Jersey Division of Elder Advocacy**  
**Ombudsman for the Institutionalized Elderly (OOIE)**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

In New Jersey, we have an unusual statutory structure for providing services for someone who has experienced abuse, neglect or exploitation. If the person is a vulnerable person living in the community, and is 18 or older, the matter is handled under our Adult Protective Services statute (cites upon request). Certain professionals must mandatorily report abuse, neglect and exploitation -- this is new as of January 1, 2010. APS services are provided on a county by county basis, though there is a state employee who oversees the funds distributed and county programs. APS does not have jurisdiction in assisted living facilities or certain residential housing licensed by the Division of Developmental Disabilities. If a person is receiving services from DDD, complaints of abuse, neglect and exploitation are investigated by DDD's Special Response Unit regardless of where the person lives so long as the facility/provider is licensed by DDD (i.e. group homes, supportive apartments, developmental centers). I believe that SRU investigates regardless of the age of the person, but I can check that if you need (certainly they investigate if the person is over 60, but am unsure about people under 18). For residents living in "institutions" (i.e. nursing facilities, assisted living, developmental centers, adult family care homes), certain professionals must mandatorily report abuse and exploitation to the Ombudsman for the Institutionalized Elderly, but only if that person is 60 or above. No state or local agency investigates abuse or exploitation for adults between 19 and 59 (unless the person is receiving DDD services) living in an institution except the Department of Health and Senior Services as a function of regulatory enforcement. With that back ground, I can only speak for the most important service OOIE provides for someone who has been abused or exploited. Presently, the greatest need we see is for residents who are in the Medicaid application process and cannot be approved because of transfer of funds but someone (usually the agent under a POA) who acted outside of their fiduciary responsibility. These residents are at risk of involuntary transfer or discharge, and depending on the circumstances, our office is able to prevent the transfer/discharge.

2. What adult protective services or resources should be developed?

We have a statutory gap in New Jersey -- no protective agency has jurisdiction for vulnerable people between 18 and 59 who are living in institutions. Since our statute requires mandatory reporting of abuse and exploitation by facility professionals, we also

## **Protective Services Questions for Organizations in Other States – Massachusetts LTC Ombudsman Program Executive Office of Elder Affairs**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

In the community system supports and assistance in the home ( for elder and caregiver); guardianship if needed; investigation and interventions as needed in the facility complaint investigation and citations if valid; a coalition of the Health Department, the Ombudsman Program and the AG's conducts annual training for staff on various types of abuse and preventive techniques

2. What adult protective services or resources should be developed?

Expanded availability of mental health services; more housing; substance abuse treatment; additional home based services

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

The training provided by the Health Dept; Ombuds program and AG office on a/n/m targeting facility staff

4. Check all services that are regularly available to victims of abuse and neglect in your state.

- Help making a safety plan -- X
- Help updating or monitoring a safety plan -- X
- Temporary in-home personal assistance while the victim locates a new caregiver? -- X
- Crime victim advocate --
- Domestic violence advocate --
- Sexual assault advocate -- X
- Accessible domestic violence shelter --
- Support group for victim --
- Trauma counseling --
- Protection order -- X
- Temporary safe housing --
- Temporary safe housing with personal assistance or nursing services -- X

**Protective Services Questions for Organizations in Other States –  
State of WI Board on Aging and Long Term Care**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

An immediate investigation and protection for the vulnerable individual.

2. What adult protective services or resources should be developed?
3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.
4. Check all services that are regularly available to victims of abuse and neglect in your state. None checked.
5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.
6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?
7. How do Victims of abuse/neglect or exploitation find out about their rights?

5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.

<http://www.clarkprosecutor.org/html/victim/viclaw.htm>

6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?

Yes

7. How do Victims of abuse/neglect or exploitation find out about their rights?

Each prosecutor's office has a victim's assistance program that initiates contact with victims.

6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?

Unknown

7. How do Victims of abuse/neglect or exploitation find out about their rights?

Unknown

## **Protective Services Questions for Organizations in Other States – Missouri Long-Term Care Ombudsman Program**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

Until two months ago, Missouri's Elder Abuse Hotline was answered 24/7 by a live person. Now the hotline is in operation from 8am to 8pm. The Hotline number is widely publicized. Callers may remain anonymous, although all calls are recorded. Staff at the hotline take down the pertinent information which is then sent to the appropriate agency (nursing home licensing; home and community staff; Dept. of Mental Health; hospital licensing, etc.) The Hotline (called the Central Registry Unit or CRU) maintains a computer system that tracks statistics. Having a centralized intake insures that callers are talking with experienced staff; and having a data base that tracks the cases allows management to know that cases are being worked on in a timely manner.

2. What adult protective services or resources should be developed?

To my knowledge, funding is not available to assist with all the counseling and follow-up services needed to fully assist victims. Also, there continues to be a need to educate the public on signs of abuse.

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

Missouri has developed a CD and training materials for banks and other lending institutions to assist them in detecting financial exploitation. There is also a companion CD for the general public. For more information on the MO-SAFE program, please go to: <http://www.dhss.mo.gov/MOSAFE/>

Another best practice: One of the regional Ombudsman Programs (St. Louis area) receives funding from VOCA (Victims of Crime Act). This funding is used to follow up with nursing home victims and others living in the same long-term care facility to ensure they are receiving appropriate care and services.

4. Check all services that are regularly available to victims of abuse and neglect in your state.
  - Help making a safety plan --
  - Help updating or monitoring a safety plan --
  - Temporary in-home personal assistance while the victim locates a new caregiver? -- X

**Protective Services Questions for Organizations in Other States –  
Massachusetts Executive Office of Elder Affairs  
Office of the State LTC Ombudsman**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

Community based abuse/neglect/exploitation provides home based support and services if the situation can be managed there or is the result of caregiver stress or burnout. They also can petition for guardianship if situation is critical and the elder lacks capacity. Lesser assistance such as Money Management can also be provided. Facility based cases are generally investigated in one or two days and remedial actions instituted. The Health Depart. along with the Ombudsman Program and the Attorney General's office provide annual training to staff on subjects including conducting investigations, training CNA's, sexual abuse issues and assessment, resident to resident issues. etc.

2. What adult protective services or resources should be developed?

Increase of guardianship slots

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

The training program/seminars done for LTC facility staff. It is an annual event and has covered a variety of topics. Facilities are encouraged to bring all levels of staff to these sessions.

4. Check all services that are regularly available to victims of abuse and neglect in your state.

- Help making a safety plan -- X
- Help updating or monitoring a safety plan -- X
- Temporary in-home personal assistance while the victim locates a new caregiver? -- X
- Crime victim advocate -- X
- Domestic violence advocate --
- Sexual assault advocate -- X
- Accessible domestic violence shelter --
- Support group for victim --
- Trauma counseling --

## **Protective Services Questions for Organizations in Other States – WA State LTC Ombudsman Program**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

The ability to promptly respond to allegations of a/n/e - and thoroughly investigate is critical. In terms of most important once it's determined that someone has been abused? I don't think we have enough services available. Housing is a challenge - my agency has recently assisted homeless elders who were basically thrown out of their children's home; these individuals had no immediate resources to find stable housing. If the person is receiving home care services from a family member who is the abuser then it means finding prompt home care services for the client and then assuring that the abuser stays away from the abused individual. In a facility setting it can be hard to substantiate a/n/e and so the person who believes it has happened often has not recourse if not substantiated. If there is a finding of a/n/e it may lead to a firing of an employee but that may not be satisfactory to the person who was abused and still feels fearful. Often with financial exploitation it is difficult to recover the funds and there is little assistance with this if it is in the civil area rather than criminal.

2. What adult protective services or resources should be developed?

Specialized domestic violence services and housing made available on short notice. APS needs more people with accounting expertise to evaluate potential financial exploitation. Licensing needs to exercise their enforcement tools, in particular conditions on license to require that funds taken from residents is refunded. Resident Protection Program needs to have more staff and the ability to act swiftly to investigate in facilities. There should be close coordination with licensing to prevent duplication of investigation.

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

I think we have a good set of enforcement tools for facility based care just need to be more liberal in their use.

4. Check all services that are regularly available to victims of abuse and neglect in your state.

- Help making a safety plan --
- Help updating or monitoring a safety plan --
- Temporary in-home personal assistance while the victim locates a new care-giver? --



## **Protective Services Questions for Organizations in Other States – WILS – Missouri Independent Living Center**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

Emergency intervention based on reporter's input

2. What adult protective services or resources should be developed?

They have decreased hotline hours to 12 hours per day and should change back to 24 hour availability.

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

Classifications of reports

4. Check all services that are regularly available to victims of abuse and neglect in your state.

- Help making a safety plan -- X
- Help updating or monitoring a safety plan -- X
- Temporary in-home personal assistance while the victim locates a new caregiver? --
- Crime victim advocate --
- Domestic violence advocate --
- Sexual assault advocate --
- Accessible domestic violence shelter --
- Support group for victim --
- Trauma counseling --
- Protection order -- X
- Temporary safe housing --
- Temporary safe housing with personal assistance or nursing services --
- Intensive case management to find new or additional long-term services in least restrictive settings --
- Regular case management -- X
- Other (please specify) --

5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.

## **Protective Services Questions for Organizations in Other States – Services for Independent Living, North Carolina**

1. What is the most important service that the adult protective services agencies currently provide for someone who has experienced abuse, neglect or exploitation?

Safety and emergency

2. What adult protective services or resources should be developed?

Emergency personal care

3. Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.
4. Check all services that are regularly available to victims of abuse and neglect in your state. None Checked
5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.
6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?
7. How do Victims of abuse/neglect or exploitation find out about their rights?

- Protection order -- X
- Temporary safe housing --
- Temporary safe housing with personal assistance or nursing services --
- Intensive case management to find new or additional long-term services in least restrictive settings --
- Regular case management --
- Other (please specify) --

5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.

<http://cjcc.ga.gov/victimDetails.aspx?id=216>

6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?

Don't know

7. How do Victims of abuse/neglect or exploitation find out about their rights?

Most I have encountered only found out through domestic violence centers they went to to avoid the abuser...or went to for counseling.

- Temporary safe housing with personal assistance or nursing services --
- Intensive case management to find new or additional long-term services in least restrictive settings --
- Regular case management --
- Other (please specify) -- X

I am aware of a grant in KC that is trying to build the capacity of two domestic violence shelters to be more "accessible" both in terms of environment and attitude. They are in the development stages of safety plans for persons with disabilities, but this stuff is not readily available or known. Actually, many of the services that might be available in our state are not known services.

5. Does your state have a Victim's bill of rights? If yes, please share a link or copy with us.

Not sure

6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?

Not sure

7. How do Victims of abuse/neglect or exploitation find out about their rights?

People First of Missouri has hosted training on this some time ago but has not done it lately. I am not sure how people would find out about their rights.

I do not know

6. If you have a bill of rights for Victims of abuse/neglect or exploitation, does it include a right to services?

I do not know

7. How do Victims of abuse/neglect or exploitation find out about their rights?

The Division of Aging Services has an ombudsman program that monitors adult care homes and nursing homes. They place posters with their contact information as well as the rights of residents in those facilities. The federal protection and advocacy system in North Carolina, Disability Rights North Carolina, provides posters to facilities as we monitor them and upon request. Finally, state law requires that residents of these facilities be provided notice of their rights upon admission.

Question # 3 - Is there a best practice in your protective services system that you believe can be replicated in other states? Please describe.

- a) MA - The training provided by the Health Dept; Ombuds program and AG office on a/n/m targeting facility staff
- b) Indiana's APS program is a criminal justice exercise, operating out of the offices of County prosecutors.
- c) Indiana's APS program is based within the criminal justice system.
- d) Missouri has developed a CD and training materials for banks and other lending institutions to assist them in detecting financial exploitation. There is also a companion CD for the general public. For more information on the MO-SAFE program, please go to: <http://www.dhss.mo.gov/MOSAFE/>
- e) Another best practice in Missouri: One of the regional Ombudsman Programs (St. Louis area) receives funding from VOCA (Victims of Crime Act). This funding is used to follow up with nursing home victims and others living in the same long-term care facility to ensure they are receiving appropriate care and services.
- f) MA - The training program/seminars done for LTC facility staff. It is an annual event and has covered a variety of topics. Facilities are encouraged to bring all levels of staff to these sessions.
- g) WA - I think we have a good set of enforcement tools for facility based care just need to be more liberal in their use.
- h) MO - Classifications of reports